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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,706	11/17/2003	Gerald N. Shields	28462/38829	2340
4743	7590	06/01/2005	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			NGUYEN, ANTHONY H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/714,706	Applicant(s) SHIELDS, GERALD N.	
	Examiner Anthony H. Nguyen	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 12-19 and 24-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-19 and 24-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/2/05</u>  | 6) <input type="checkbox"/> Other: _____                                    |

### **Claim Rejections - 35 U.S.C. § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 9, 12, 14 and 24-30 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Burgard (US 2002/0023587) in view of Achelpohl et al. (US 5,816,163).

With respect to claims 1-3 and 12, Burgard teaches an inking including a cleaning system and method of inking and flushing in a printing press having a fluid circuit 100 which includes a first operating configuration for supplying ink and a second operating configuration for supplying cleaning solution to the printing press. The fluid circuit, which has a controller 52, pumps 57, valves 58 and a display 54 (Burgard, Fig.5), switches operation between the first and second configurations. Burgard does not teach the fluid circuit having a second pump which circulates the cleaning solution. Achelpohl et al. teaches an inking and cleaning system having a first pump 11 coupled to a source of ink 21 via a line 27 and valve 26 and a second pump 13 coupled to a source of cleaning solution 14 via a line 12 as shown in the Figure. Achelpohl et al. teaches also the first operation which pumps ink to the printing press via a check valve 24, line 27 and pump 11 (Achelpohl et al., col.3 lines 45-53) and a second operation which pumps the cleaning solution from the cleaning solution source 14 to the system via pumps 13 and 11 (Achelpohl et al., col.4, lines 9-20). In view of the teaching of

Achelpohl et al., it would have been obvious to one of ordinary skill in the art to modify the inking and cleaning system of Burgard by providing the second pump which pumps cleaning solution to a printing press as taught by Achelpohl et al. to improve the efficiency of cleaning ink in the fluid circuit of a printing press. With respect to claim 24, Burgard and Achelpohl et al. teach the steps of supplying ink from the coating or ink supply 101 to the printing press via the pumps 124, 126, a plurality of valves 102, 107 and fluid lines 131, 132, 133, 134, removing ink from the fluid circuit, supplying a first solution, flushing and removing the first solution, supplying a second solution and flushing and removing the second solution comprising a cleaning solution (Burgard, Figs. 10 and 11 and the paragraph 0033 and Achelpohl et al., claim 1).

Claim 7 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Burgard in view of Achelpohl et al. as applied to claims 1-6, 9, 12, 14 and 24-30 above, and further in view of Jones et al. (US 6,558,554).

Burgard and Achelpohl et al. teach all that is claimed, except the use of a surge suppressing filter in the fluid circuit. Jones et al. teaches the conventional use of surge suppressing filter 10, 12 and 64 (Jones et al., Fig. 1) which is connected to a supply conduit 14 for supplying fluid to a coating apparatus via a line 66 (Jones et al., Fig. 1). In view of the teaching of Jones et al., it would have been obvious to one of ordinary skill in the art to modify the system of Burgard and Achelpohl et al. by providing a surge suppressing filter as taught by Jones et al. to improve the efficiency of feeding a fluid from a source to a printing cylinder.

Claims 8 and 13 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Burgard in view of Achelpohl et al. as applied to claims 1-6, 9, 12, 14 and 24-30 above, and further in view of Takekoshi (US 5,181,467).

Burgard and Achelpohl et al. teach all that is claimed, except the flow sensor used in the fluid circuit. Takekoshi teaches the use of flow sensors 16,18 for controlling the flow rate of a solution which is transferred to the container 26 as shown in Fig.3 of Takekoshi. In view of the teaching of Takekoshi, it would have been obvious to one of ordinary skill in the art to modify the system of Burgard and Achelpohl et al. by providing the flow sensor as taught by Takekoshi to improve the efficiency of feeding fluid from a source to a printing cylinder. With respect to claim 13, the use of a light tower for display information is known and involves no apparent unobviousness. For examples, see Takekoshi, col.10 lines 31-34.

Claims 15-19 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Achelpohl et al. (US 5,816,163) in view of Burgard (US 2002/0023587) and Clauditz (US 5,330,576).

With respect to claims 15-17 and 19, Achelpohl et al. teaches an inking and cleaning system having an ink supply pump 11 coupled to a source of ink 21 via a line 27 and valve 26, and a flush pump 13 coupled to a source of cleaning solution 14 via a line 12 (i.e., a flush station) as shown in the Figure of Achelpohl et al. Achelpohl et al. does not teach the controller coupled to the fluid circuit for switching between the first operation and the second operation. Burgard teaches an inking, cleaning system and method of inking and flushing a printing press having a fluid circuit 100 including a controller 52 for switching operations between the first operation for supplying ink to the printing press and second operation for supplying and flushing cleaning solution to and from the printing press (Burgard, Fig. 4 and paragraph 0007 and 0009). Clauditz teaches a recirculating coating liquid supply system which includes the double diaphragm pumps 4, 37 (a) and 37(b) for feeding liquid mixture to the applicator trough 53 (Clauditz, Fig.1). In view of the teachings of Burgard and Clauditz, it would have been

obvious to one of ordinary skill in the art to modify the system of Achelpohl et al. by providing the controller as taught by Burgar for quickly switching between printing, cleaning and flushing operation and providing the double diaphragm pump as taught by Clauditz for simplicity in design the inking and flushing system. With respect to claim 18 the use of a double diaphragm air driven pump is well known in the art.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-9, 12-19 and 24-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

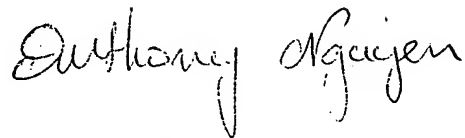
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169.

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The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168.

The fax phone number for this Group is (703) 872-9306.

A handwritten signature in black ink that reads "Anthony Nguyen". The signature is written in a cursive, flowing style.

Anthony Nguyen  
5/27/05  
Patent Examiner  
Technology Center 2800